

Message

From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 10/22/2020 11:56:35 PM
To: Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]; Goodin, John [Goodin.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Barnet, Henry [Barnet.Henry@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; McGill, Thomas [Mcgill.Thomas@epa.gov]; Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]; Koslow, Karin [Koslow.Karin@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Fisher, Mike [Fisher.Mike@epa.gov]; Mazakas, Pam [Mazakas.Pam@epa.gov]; Wade, Alexis [Wade.Alexis@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]; Marshall, Tom [marshall.tom@epa.gov]
Subject: RE: requesting review of BiOp for FL Assumption
Attachments: INTERNAL - summary of EPA comments and suggested revisions to draft FWS BiOp - 10-20-2020.docx; EXTERNAL - draft FWS BiOp with EPA comments and suggested revisions - 10-20-2020.docx

Importance: High

Jeaneanne – I am just getting to your message from yesterday. I'm copying my team on florida/ESA as well as a manager in the cross cutting issues law offices that handles ESA generally. I don't know of their (avail)ability to provide comments in the timeframe but if you don't hear comments from us, we will engage as needed in the next step in the process. Perhaps there have already been discussions of this voluminous at the staff level.

Alexis et al – if you have any comments that you are able to provide on the timeline below please feel free to provide to the region and just copy me. If not, we can engage with David at the next step as needed/appropriate, in coordination with CCILO. Thanks!

Steven Neugeboren
Associate General Counsel for Water
United States Environmental Protection Agency
Mailcode 2355A
1200 Penn. Ave., N.W.
Washington DC 20460
(202) 564-5488

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Sent: Wednesday, October 21, 2020 5:13 PM
To: Goodin, John <Goodin.John@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Barnet, Henry <Barnet.Henry@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Koslow, Karin <Koslow.Karin@epa.gov>; Denton, Loren <Denton.Loren@epa.gov>; Fisher, Mike <Fisher.Mike@epa.gov>; Mazakas, Pam <Mazakas.Pam@epa.gov>
Subject: requesting review of BiOp for FL Assumption

John, Steve, Rosemarie and Henry:

As we continue our review of documents and material related to the request by FL to assume CWA 404, our team has prepared the attached set of comments on the USFWS's draft BiOp. At this point the Team is recommending sharing these comments with USFWS. Prior to doing so, we need to run these comments by the principals (Dave R., David F., Susan B. and Mary W.) and before I do that, I am emailing them to you for your information/review.

We need to clear these comments as soon as possible because USFWS asked for our comments by October 23. We have made them aware that we would not meet that timeframe, but any delay on our part prevents them from finalizing the BiOp which we need as we move to a decision on assumption – so I would appreciate your quick turn-around on this

document. Once I get your clearance I will send forward to the principals and copy each of you. Rosemary and Henry - I am looping you in since we will be sending this to Susan and discussing as part of our bi-weekly calls on assumption.

The document which requires review is the attachment with "EXTERNAL" in the filename. Also attached is a 2-page companion summary of our comments, intended to remain internal to EPA (see attachment with "INTERNAL" in the filename).

Would you please let me know if you can return this to me or elevate by Friday noon, with a copy to Tom McGill? If you return to me, my intent will be to send it forward to the principals not later than Friday COB or early next Monday.

Thanks
Jeaneanne